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PATENT APPLICATION  
Attorney Docket No.: 21958-015

AF/3621

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Rod Stambaugh  
ASSIGNEE: U.S. Wireless Data, Inc. ART UNIT: 3621  
SERIAL NO.: 09/495,898 EXAMINER: Cristina O. Sherr  
FILING DATE: February 2, 2000  
FOR: TRANSACTION PROCESSING USING INTERMEDIATE SERVER  
ARCHITECTURE

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 28, 2003  
New York, New York  
**RECEIVED**  
AUG 04 2003  
**GROUP 3600**

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in the present application are the following documents:

- ☒ Amendment [4 pgs.]; and
- ☒ a Return Postcard.

The Commissioner is hereby authorized to charge any additional fees that may be due to Deposit Account No. **50-0311**, Reference No. 21958-015, Customer No. **35437**. A duplicate copy of this transmittal letter is enclosed.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 212/692-6803, New York, New York.

Date: July 28, 2003

Respectfully submitted,

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**Expedited Procedure Under 37 C.F.R. 1.116**

**Group Art Unit 3621**

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AMENDMENT

Dear Ms. Sherr:

In response to the Final Office Action dated June 3, 2002 (paper no. 8), and in response to the Interview Summary received June 18, 2003, Applicant submits the following remarks.

Applicant wishes to thank the Examiner for the courtesies extended to Applicant's representative during the telephone interview conducted on June 17, 2003. In that regard, Applicant understands that the conversation between Applicant's representative and the Examiner was productive and, as discussed during the interview, the present invention is novel and non-obvious over the cited prior art.

As recited in independent claim 1, the present invention is directed to a method of transaction processing. The method may include a transaction terminal sending first transaction information for a transaction across the communications network to a server communicating with the communications network. The first transaction information may include an account number and a transaction amount. The first transaction information is received and processed at the server. At least a portion of the first transaction information is stored and made accessible via the Internet. The method also includes sending second transaction information based on the first transaction information to a transaction processor. Amended independent claim 17, and new claims 30, 31 and 35 all recite similar patentable features.

As discussed during the interview, and previously argued in Applicant's response of March 12, 2003, the claimed invention is patentable over the cited prior art since the prior art fails not only to disclose each and every feature of the claimed invention, but does not teach or suggest all the features recited in the claims.

Specifically, U.S. patent no. 5,870,723 (Pare Jr. et al.), used to reject the independent claims under 35 U.S.C. § 102 in the Action of September 12, 2002, is understood by Applicant to be directed a method and system for tokenless biometric transaction authorization. A buyer enters personal authentication information including a PIN and a biometric sample (e.g., fingerprint), which is forwarded to a computer system. The computer system compares the personal authentication information with previously registered buyer biometric samples. If the computer system successfully identifies the buyer, a financial account of the buyer is debited and a financial account of the seller is credited, and the results of the transaction are presented to both buyer and seller.

In that regard, Applicant could find nothing in Pare Jr. et al., to disclose storing transaction information from a transaction terminal and making the information available in real-time via the web. It is for these reasons, at least, that the independent claims of the present invention are patentable over Pare Jr. et al. Moreover, Applicant respectfully submits that none of the other prior art of record meets the deficiencies of Pare Jr. et al., and

thus the independent claims, as well as the claims the depend from one or another of the independent claims are patentable.

Accordingly, Applicant respectfully requests that the rejections of the claims under 35 U.S.C. §§ 102 and 103 be withdrawn.

### CONCLUSION

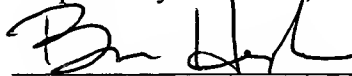
In view of the foregoing remarks, Applicant's amendments and previous arguments listed in Applicant's previous response of March 12, 2003, Applicant submits that the issues raised in the outstanding Final Office Action have all been addressed. Accordingly, Applicant respectfully requests favorable reconsideration and allowance of the subject application.

**Applicant notes that an Information Disclosure Statement has been concurrently filed with the present response.**

No fees are believed due with this response. In the event that it is determined that additional fees are due, however, the Commissioner is hereby authorized to charge the undersigned's Deposit Account No. 50-0311.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 935-3000. All correspondence should be directed to our New York office address, which is given below.

Respectfully submitted,



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